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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In Re: HP Inkjet Printer Litigation

Master Case No. C-05-3580 JF

**[PROPOSED] ORDER GRANTING
 PLAINTIFFS' ADMINISTRATIVE
 MOTION TO SEAL PURSUANT TO
 LOCAL RULE 79-5(d)**

This Document Relates To:
 All Actions.

Case No. C-05-3580 (JF)

[PROPOSED] ORDER GRANTING PLAINTIFFS' ADMINISTRATIVE MOTION TO SEAL DOCUMENTS

1 Plaintiffs' Administrative Motion filed pursuant to Civ. L.R. 79-5 (the "Motion") and the
 2 Response of defendant Hewlett-Packard Company ("HP") pursuant to Civ. L.R. 79-5(d) (the
 3 "Response") came before this Court for determination in connection with Plaintiffs' Opposition
 4 to HP's Motion for Summary Judgment. The documents to be kept under seal include the
 5 exhibits contained in Volume 2 of Niall P. McCarthy's Declaration that was filed with this Court
 6 on October 19, 2007 ("McCarthy's Declaration"). These documents include the following:

- 7 • Excerpts of Brian Helterline's transcript that were attached as "Exhibit C" to
 8 McCarthy's Declaration;
- 9 • The Socratic Technologies interim report on HP SureSupply user research, dated
 10 June 2004, that was attached as "Exhibit D" to McCarthy's Declaration; and
- 11 • The one-month (January 2004) exemplar of the iCare database report logging
 12 customer service responses by HP service technicians, attached as "Exhibit E" to
 13 McCarthy's Declaration.

14 After consideration of the Motion and HP's Response, the Declaration of Edward
 15 Bomber, the Stipulation to Enter Protective Order for All Matters ("Protective Order") filed in
 16 this action on March 22, 2006, the Court's files and records in this matter, and compelling reasons
 17 appearing therefore:

18 IT IS HEREBY ORDERED that the Motion is GRANTED, as follows:

19 Each of these exhibits has been previously designated by HP as "Restricted Information"
 20 or "Restricted Outside Counsel Only Information." The Court recognizes that Plaintiffs filed a
 21 similar administrative motion to seal these documents in connection with Plaintiffs' Motion for
 22 Class Certification. In response to that administrative motion, HP responded and submitted the
 23 Declaration of Edward Bomber in Support of HP's Response to Plaintiffs' Administrative Motion
 24 to Seal Pursuant to Local Rule 79-5(d) ("Bomber's Declaration") to this Court. Bomber's
 25 Declaration addressed and supported the confidentiality of these three documents.


26 Therefore, these Exhibits, which were originally lodged under seal, are to remain filed
 27 under seal because they reflect confidential business information, the disclosure of which
 28 threatens to put HP at a competitive disadvantage and cause it harm with respect to its

competitors and customers.

Additionally, any parts of the Plaintiff's opposition to summary judgment that quotes from, relies upon, or takes information directly from any documents or passages that the Court has ordered be kept under seal in this Order are to remain redacted.

IT IS SO ORDERED.

Dated: Oct. 29, 2007



Honorable Jeremy Fogel
United States District Judge